

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

BRIAN C. FRANKENFIELD	§	
VS.	§	CIVIL ACTION NO. 9:24-CV-52
WARDEN SMITH, ET AL.	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Brian C. Frankenfield, a prisoner currently confined at the Gib Lewis Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Warden Smith, Warden Goodall, TDCJ Parole Division, First Name Unknown (FNU) Freeman, Kenisha Turner, and Gail Singleton.

Discussion

When jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391(b) provides that venue is proper in the judicial district where the defendants reside or in which the claim arose. Under 28 U.S.C. § 1404, the district court may transfer a civil action to any other district where it could have been brought for the convenience of parties and witnesses and in the interest of justice.

Some of Plaintiff's claims involve incidents that took place at the Gib Lewis Unit, which is located in the Beaumont Division of the United States District Court for the Eastern District of Texas. Plaintiff also complains of incidents that took place in La Marque, Texas, which is located in the Southern District of Texas. The court has considered the circumstances and has determined that the interests of justice would be served by transferring the claims against Defendants TDCJ Parole Division, Kenisha Turner, and Gail Singleton to the district in which the claims arose. Therefore, the claims concerning those defendants should be transferred to the Galveston Division of the Southern District of Texas. It is accordingly

ORDERED that the claims against TDCJ Parole Division, Kenisha Turner, and Gail Singleton are **SEVERED** from this action and **TRANSFERRED** to the Galveston Division of the United States District Court for the Southern District of Texas. The Complaint (doc. #1) and the Preliminary Filing Fee Order should also be docketed in the new case.

SIGNED this the 28th day of March, 2024.

A handwritten signature in black ink, appearing to read 'C. Stetson', is written above a horizontal line.

Christine L Stetson
UNITED STATES MAGISTRATE JUDGE